

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

DAVID GRENKE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,
a Delaware corporation,

Defendant.

Case No. 2:12-cv-14221

[Hon. George Caram Steeh]

[Magistrate Judge Mona K. Majzoub]

**JOINT MOTION FOR DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(2)**

Plaintiff David Grenke (“Plaintiff”) and Defendant Hearst Communications, Inc. (“Defendant”), by and through their respective counsel, hereby move this Court, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, for dismissal of this action. In support thereof, the Parties state as follows:

The discovery to date has shown that despite his good faith belief, Plaintiff was not the subscriber of record to *Country Living* magazine—the publication at issue in this lawsuit.

Based on the foregoing, the Parties respectfully request that this Court issue an Order: (i) dismissing with prejudice as to all claims asserted by Plaintiff, with each party to bear its own costs, and (ii) vacating all prior orders.

Dated: February 20, 2015

David Grenke,

By: /s/ Ari J. Scharg
One of his attorneys

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Dated: February 20, 2015

Hearst Communications, Inc.,

By: /s/ Stephen Yuhan
One of its attorneys

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CERTIFICATE OF SERVICE

I, Ari J. Scharg, an attorney, hereby certify that on February 20, 2015, I served the above and foregoing, by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Ari J. Scharg